CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Planning, Building and Code Enforcement
ROSALYNN HUGHEY, DIRECTOR

ADDENDUM TO THE EDENVALE 2000 FINAL ENVIRONMENTAL IMPACT REPORT (SCH # 1996052098); EDENVALE 2000 SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (SCH # 1996052098); AND THE ENVISION SAN JOSÉ 2040 GENERAL PLAN FINAL ENVIRONMENTAL IMPACT REPORT, SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT, AND ADDENDA THERETO (SCH# 2009072096)

Pursuant to Section 15164 of the CEQA Guidelines, the City of San Jose has prepared an Addendum to the North San Jose Development Policies Update Final Environmental Impact Report, and the Envision San Jose 2040 General Plan Final Environmental Impact Report (General Plan FEIR), Supplemental Program Environmental Impact Report (General Plan SEIR) for the Envision San José 2040 General Plan, and addenda thereto; because minor changes made to the project, as described below, do not raise important new issues about the significant impacts on the environment.

SP18-022 - Special Use Permit to allow a data center in an existing 74,627-square foot building, to allow the industrial use to exceed the Noise Performance Standards for an industrial use adjacent to a commercially used property, the addition of a rooftop platform and an approximately 19,332 square foot utility yard with six back-up generators, and exterior building modifications on a 4.75-gross acre site

Location: The project site is located on north side of Via Del Oro, approximately 270 feet easterly of San Ignacio Avenue at 6580 Via Del Oro San Jose CA 95110.

Assessor's Parcel Number: 706-09-096 **Council District:** 2.

The environmental impacts of this project were addressed by the following Final Environmental Impact Reports: "Edenvale Redevelopment Project Final EIR" adopted by City Council Resolution Nos. 69699 and 70021 "Envision San José 2040 General Plan Final EIR," adopted by City Council Resolution No. 76041 on November 1, 2011; Supplemental Program EIR entitled, "Envision San José 2040 General Plan Supplemental EIR," adopted by City Council Resolution No. 77617 on December 15, 2015, and addenda thereto.

The proposed project is eligible for an addendum pursuant to CEQA Guidelines §15164, which states that "A lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in CEQA Guidelines §15162 calling for preparation of a subsequent EIR have occurred." Circumstances which would warrant a subsequent EIR include substantial changes in the project or new information of substantial importance which would require major revisions of the previous EIR due to the occurrence of new significant impacts and/or a substantial increase in the severity of previously identified significant effects.

The following impacts were reviewed and found to be adequately considered by the EIRs cited above:

☒Aesthetics	☒Agriculture Resources	☒Air Quality
☒Biological Resources	☒Cultural Resources	☒Geology and Soils
☒Greenhouse Gas Emissions	☒ Hazardous Materials	☒Hydrology & Water Quality
☒Land Use	☒Mineral Resources	☒Noise
☒Population and Housing	☒Public Services	☒Recreation
☒Transportation/Traffic	☒Utilities & Service Systems	☒Energy
☒Growth Inducing	☒Cumulative Impacts	☒Mandatory Findings of Sig.

ANALYSIS

See Attached.

Sanhita Ghosal
Environmental Project Manager

Rosalynn Hughey, Director
Planning, Building and Code Enforcement

11/21/18
Date

Deputy

Addendum to
the Final Environmental Impact Report for Edenvale Area Redevelopment Plan EIR (SCH#2013032047) and the Final Program Environmental Impact Report for the Envision San José 2040 General Plan as supplemented (SCH# 2009072096)

November 2018

Project File No. SP18-022

PURPOSE OF THE ADDENDUM

This Addendum has been prepared by the City of San José as the Lead Agency, in compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines (California Code of Regulations §15000 et. seq.) and the regulations and policies of the City of San José.
The project proposes to allow the use of an existing 74,627-square foot building as a data center, with a construction of an approximately 19,332 square foot utility yard for six back-up generators, minor exterior building modifications and landscape modifications including removal and replacement of 24 non-ordinance trees on a 4.75-gross acre site. This addendum evaluates the environmental impacts that might reasonably be anticipated to result from implementation of the proposed project.

The CEQA Guidelines Section 15162 states that when an Environmental Impact Report (EIR) has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the Lead Agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines Section 15164 states that the Lead Agency or a Responsible Agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary,

but none of the conditions described in 15162 (see above) calling for preparation of a subsequent EIR have occurred.
This addendum will not be circulated for public review, but will be attached to the EIRs, pursuant to CEQA Guidelines §15164(c).

EDENVALE AREA REDEVELOPMENT POLICY

The City of San José adopted the Edenvale Area Development Policy (EADP) for the Edenvale Redevelopment Project Area (ERPA) in June 2000 to facilitate industrial development in New Edenvale. Subsequent to its adoption, the EADP was updated to accommodate a mix of uses including residential, commercial, and office uses and to transfer development potential/capacity from one sub-area to another. An update in 2007 included the expansion of the Edenvale Area to include Sub-Area 5 which was not originally part of the EADP. Sub-Area 5 was added to the Edenvale Area, because new development proposed in this Sub-Area would contribute to the previously identified significant and unavoidable impacts identified in the original 2000 Edenvale Redevelopment Project EIR.

In 2014, the EADP was updated to include two General Plan amendments within Edenvale. According to the EADP, updated in April 2014 as part of the Great Oaks Mixed Use EIR (Great Oaks EIR), the Edenvale area is subdivided into three major areas: Edenvale Area, New Edenvale, and Mixed-Use Development Area. The Edenvale Area, which lies generally east of U.S. Highway 101 (U.S. 101) between Hellyer Avenue and Silicon Valley Boulevard, is designated for industrial park/R&D/office land uses. The New Edenvale area contains three sub-areas (Sub-Area 1, 3 and 4) and is generally bounded to the east by Santa Teresa Boulevard, to the west by State Route (SR) 85, to the north by Cottle Road, and to the south by Bernal Road, and is designated for industrial park/R&D/office land uses. The Mixed-Use Development Area, which is generally west of Monterey Highway between Cottle Road and SR 85, is designated for retail, office, and residential land uses.

The EADP accomplishes transportation goals for Edenvale by allowing certain industrial, office, and commercial developments to proceed prior to the construction of traffic mitigation measures required to address identified intersection Level of Service (LOS) impacts. This will result in interim (near-term) congestion at impacted intersections to temporarily exceed the LOS standards of the Citywide LOS Policy, with the intent that these intersections will return to a LOS standard that is better than or equivalent to background conditions once all transportation mitigation improvements are constructed as part of the buildout of Edenvale.

Edenvale Area Redevelopment Plan Environmental Impact Report and Supplemental Environmental Impact Report

The City of San José prepared and certified the EIR for the adoption of the original area plan in 1976. In 1979, another pansion EIR (1979 Edenvale EIR) was prepared and certified by the City

to address the expansion of the Edenvale Redevelopment Project to include New Edenvale, including the location of the project site. A Supplemental EIR was prepared in 1996 to update the environmental analysis to reflect current conditions and environmental regulations.

Since certification of the Final Supplemental EIR in 1996, new development occurred in Edenvale and in the surrounding area, resulting in traffic congestion beyond that forecasted in previous studies. The 2000 Subsequent Edenvale Redevelopment Project Environmental Impact Report (2000 Edenvale EIR) was certified in June 2000 (City Council Resolution No. 69699) that re-evaluated traffic impacts and required future public improvements. The 2000 Edenvale EIR addressed the impacts of the buildout of ERPA and considered the development of up to 7.88 million square feet of additional industrial uses. The 2000 Edenvale EIR analyzed approximately 4.8 million square feet of industrial uses specifically in New Edenvale, subject to certain development restrictions. In addition, the 2000 Edenvale EIR addressed the impacts of adopting an Area Development Policy for New Edenvale, as well as the formation of an improvement and community facilities district to finance local offsite traffic mitigation.
The 2000 Edenvale EIR included analyses for all applicable CEQA resource areas and identified the following impacts as significant and unavoidable with the assumption of full buildout of the project:

- Land use, specifically for loss of agricultural land and open space
- Regional air quality impact due to single-occupant commute traffic
- Transportation/traffic impact
- Operational and traffic noise impact
- Obstruction of wildlife movement due to full buildout
- Cultural resources for potential loss of historical resources and
- Cumulative impacts due to the loss of agricultural land /open space, traffic congestion, deterioration of regional air quality and impact on vegetation and wildlife.

In late 2000, the Edenvale Redevelopment Project Supplemental EIR (2000 Edenvale SEIR) was certified, which evaluated changes to the EADP to: 1) increase the industrial square footage in New Edenvale from 4.8 to 5.0 million square feet, and 2) relax the standards in the EADP to allow the development of up to 5.0 million square feet of industrial uses to occur prior to completion of the gateway transportation improvements. The original project allowed the development of up to only 2.4 million square feet of development prior to the gateway improvements. The 2000 Edenvale SEIR include detailed analyses to changes in traffic and air quality sections and concluded that the updated EADP would continue to have significant and unavoidable traffic and air quality impacts associated with the interim impacts from development occurring before construction of the gateway traffic improvements. The 2000 Edenvale SEIR was certified by the San José City Council under Resolution Number 70021 on

November 21, 2000. With this resolution, the City Council adopted a statement of overriding considerations for the unavoidable impacts to traffic and air quality.

In addition, the latest update to the EADP (Resolution No. 77220) was made as part of the Great Oaks Mixed Use Project EIR in 2014 to provide for the proposed mix of residential, commercial, and office uses in Edenvale Sub-Area 5 and redistribution of entitlements to Edenvale Sub-Area 2.

Henceforth, all of these EIRs are collectively referred as EADP EIRS.

Envision San José 2040 General Plan Final Program Environmental Impact Report and Supplemental Program Environmental Impact Report

In November 2011, the City of San José certified the Envision San José 2040 General Plan Final Program EIR (General Plan EIR) for the Envision San José 2040 General Plan (General Plan) that provides capacity for the development of up to 470,000 new jobs and 120,000 new dwelling units through 2035. The growth capacity would allow a total of 839,450 jobs and 429,350 dwelling units in San José, an increase of 127 percent and 39 percent, respectively, which, if fully developed, would result in jobs to employed resident ratio of 1.3 to 1. In December 2015, the City of San José also certified a Supplemental Program EIR (General Plan SEIR) for the General Plan to include an updated greenhouse gas emissions analysis.
Henceforth, all of these EIRs are collectively referred as 2040 General Plan EIRS.

Given the proposed project description and knowledge of the project site, site-specific environmental review, and environmental review prepared for the 2000 Edenvale EIR, the 2000 Edenvale SEIR, the General Plan EIR, and the General Plan Supplemental EIR, the City has concluded that the proposed project would not result in any new impacts not previously disclosed in the 2000 Edenvale EIRs and General Plan EIRs; nor would it result in a substantial increase in the magnitude of any significant environmental impact previously identified in the EIRs. For these reasons, a supplemental or subsequent EIR is not required and an addendum to the 2000 Edenvale EIR, the 2000 Edenvale SEIR, the General Plan EIR, and the General Plan Supplemental EIR has been prepared for the proposed project.

SUMMARY OF THE PROPOSED PROJECT

The project proposes reuse of an existing approximately 74,627 square feet industrial building as a data center. Minor construction work is proposed to construct a utility yard to house six back-up generators.

The subject 4.75-gross acre site is located on the north side of Via Del Oro, approximately 270 feet easterly of San Ignacio Avenue. Currently, the site is developed with a vacant, 74,627-square foot industrial building and 270 parking stalls built in the 1980s. The proposed project includes the following: (a) allow a data center to occupy the existing building, (b)construction of an approximately 19,332-square foot utility yard to house generators (c) installation of six (6) back-up generators to support the proposed data center use, (d) allow the industrial use to exceed the Noise Performance standards for an industrial use adjacent to a commercially-used property within the Industrial Park Zoning District; (e) remodeling the front entrance to the building (f) the reconfiguration of parking resulting in 143 vehicle parking stalls on-site and (g) the removal and replacement of twenty-four (24) non-ordinance size trees and landscaping improvements. The proposed project is located within in Sub-Area 2 of Edenvale.

The properties to the northeast and southeast of the project site have an Industrial Park General Plan Land Use Designation. The properties to the northwest and southwest have a Transit Employment Center General Plan Land Use Designation. All the properties surrounding the project site are located in IP- Industrial Park Zoning District. The property to the northeast is developed with industrial buildings and the properties southeast of the site are developed with industrial buildings and a commercial medical office. The surrounding sites to the northwest and southwest are undeveloped.

ENVIRONMENTAL IMPACTS OF PROPOSED PROJECT

The analysis below describes the potential environmental impacts of the proposed project for each of the CEQA resource categories, as they compare with the impacts of the previously approved project analyzed in the *EADP EIRs and General Plan EIRs.* Any changes that have occurred in the environmental setting that may result in new impacts or impacts of greater severity than those identified in the previously certified EIRs are also noted.

Aesthetics

The existing visual character and views of the site and surrounding area have not changed since the preparation of the EADP EIRs and General Plan EIRs, and addenda thereto. The proposed project will result into only minor visual changes to the existing building – which includes a utility yard at the rear of the building. Construction of the proposed equipment yard would

result in a visual change; however, the proposed development would be consistent with the scale and type of existing buildings in the project area.

It was concluded in the EADP EIRs and the General Plan EIRs that future development's conformance with the City's Title 20 Zoning Ordinance, City's Outdoor Lighting Policies, and the City's Design Guidelines would avoid any significant visual and aesthetic impacts, including: 1) increased shade and shadow on public and private open space areas, 2) impacts to scenic vistas, 3) visual effects of light and glare and 4) impact on scenic vistas, if any. During the development review process, the project has been found to conform to these above-mentioned policies and guidelines.

For these reasons, the proposed project would have a less than significant impact on the visual character and quality of the site and surround area. The proposed project would not result in any new or more significant visual and aesthetic impacts than those previously identified in the EADP EIRs and the General Plan EIRs.

Agriculture and Forestry Resources

The existing agricultural and forestry setting has not changed since preparation of the EADP EIRs and the General Plan EIRs, and addenda thereto. The project site is not designated as farmland or used for agricultural purposes. None of the properties adjacent to the project site or in the vicinity are used or zoned for forestry resources. The site is fully developed with an industrial building and associated parking and landscaping. For these reasons, it can be concluded that the project would not result in any new or more significant impacts to agriculture or forestry resources than were described in the EADP EIRs and the 2040 General Plan EIRs, and Addenda thereto.

Air Quality

The analysis below has been based on an Air Quality report prepared by Illingworth and Rodkin, Inc. dated November 19, 2018, and is attached.

Regulatory Framework

The federal Clean Air Act governs air quality in the United States. In addition to being subject to federal requirements, air quality in California is also governed by more stringent regulations under the California Clean Air Act. At the federal level, the United States Environmental Protection Agency (U.S. EPA) administers the federal Clean Air Act. The California Clean Air Act is administered by the California Air Resources Board (CARB) at the state level and by the Air Quality Management Districts at the regional and local levels. The Bay Area Air Quality Management District (BAAQMD) regulates air quality at the regional level, which includes the nine-county Bay Area.

United States Environmental Protection Agency and National Ambient Air Quality Standards

The U.S. EPA is responsible for enforcing the federal Clean Air Act and establishing the National Ambient Air Quality Standards (NAAQS). NAAQS are required under the 1977 Clean Air Act and subsequent amendments. The ambient air quality in a given area depends on the quantities of pollutants emitted within the area, transport of pollutants to and from surrounding areas, local and regional meteorological conditions, as well as the surrounding topography of the air basin. Air quality is described by the concentration of various pollutants in the atmosphere. Units of concentration are generally expressed in parts per million (ppm) or micrograms per cubic meter (μg/m3).

As required by the federal Clean Air Act, NAAQS have been established for six major air pollutants: carbon monoxide (CO), nitrogen dioxide (NO2), ozone (O3), particulate matter, including PM(10) and PM (2.5), sulfur oxides, and lead. The "primary" standards have been established to protect the public health. The "secondary" standards are intended to protect the nation's welfare and account for air pollutant effects on soil, water, visibility, materials, vegetation and other aspects of the general welfare.

The U.S. EPA regulates emission sources that are under the exclusive authority of the federal government, such as aircraft, ships, and certain types of locomotives. The agency has jurisdiction over emission sources outside state waters (e.g., beyond the outer continental shelf) and establishes various emission standards, including those for vehicles sold in states other than California. Automobiles sold in California must meet the stricter emission standards established by CARB.

California Air Resources Board and California Ambient Air Quality Standards

CARB, which is part of the California Environmental Protection Agency (CalEPA), is responsible for meeting the state requirements of the federal Clean Air Act, administering the California Clean Air Act, and establishing the California Ambient Air Quality Standards (CAAQS). The California\ Clean Air Act requires all air districts in the state to endeavor to achieve and maintain the CAAQS. CARB regulates mobile air pollution sources, such as motor vehicles. CAAQS are generally the same or more stringent than NAAQS.

The agency is responsible for setting emission standards for vehicles sold in California and for other emission sources, such as consumer products and certain off-road equipment. CARB has established passenger vehicle fuel specifications and oversees the function of local air pollution control districts and air quality management districts, which in turn administer air quality activities at the regional and county level. CARB also conducts or supports research into the effects of air pollution on the public and develops innovative approaches to reducing air pollutant emissions.

Bay Area Air Quality Management District

The BAAQMD is the regional agency tasked with managing air quality in the region. The BAAQMD is primarily responsible for assuring that the federal and state ambient air quality standards are maintained in the San Francisco Bay Area. Air quality standards are set by the federal government (the 1970 Clean Air Act and its subsequent amendments) and the state (California Clean Air Act and its subsequent amendments). Regional air quality management districts such as BAAQMD must prepare air quality plans specifying how state standards would be met. The BAAQMD's most recently adopted Clean Air Plan is the 2010 Clean Air Plan (2010 CAP). The 2010 CAP provides an updated comprehensive plan to improve the Bay Area's air quality and protect public health, taking into account future growth projections to 2035. The BAAQMD has published CEQA Air Quality Guidelines that are used in this assessment to evaluate air quality impacts of projects.

Envision San José 2040 General Plan

Various policies in the City's General Plan have been adopted for the purpose of avoiding or mitigating air quality impacts resulting from planned development within the City. Future development on the project site would be subject to applicable General Plan policies, including those listed below.

Envision San José 2040 Relevant Air Quality Policies	
Policy MS-10.1	Assess projected air emissions from new development in conformance with the BAAQMD CEQA Guidelines and relative to state and federal standards. Identify and implement air emissions reduction measures.
Policy MS-10.2	Consider the cumulative air quality impacts from proposed developments for proposed land use designation changes and new development, consistent with the region's Clean Air Plan and State law.
Policy MS-11.2	For projects that emit toxic air contaminants, require project proponents to prepare health risk assessments in accordance with BAAQMD-recommended procedures as part of environmental review and employ effective mitigation to reduce possible health risks to a less than significant level. Alternatively, require new projects (such as, but not limited to, industrial, manufacturing, and processing facilities) that are sources of TACs to be located an adequate distance from residential areas and other sensitive receptors.
Policy MS-11.5	Encourage the use of pollution absorbing trees and vegetation in buffer areas between substantial sources of TACs and sensitive land uses.
Policy MS-13.1	Include dust, particulate matter, and construction equipment exhaust control measures as conditions of approval for subdivision maps, site development and planned development permits, grading permits, and demolition permits. At minimum, conditions shall conform to construction mitigation measures recommended in the current BAAQMD CEQA Guidelines for the relevant project size and type.
Policy CD-3.3	Within new development, create and maintain a pedestrian-friendly environment by connecting the internal components with safe, convenient, accessible, and pleasant pedestrian facilities and by requiring pedestrian connections between building entrances, other site features, and adjacent public streets.

Background Information

Regional and Local Criteria Air Pollutants

The project site is located in Santa Clara County, which is in the San Francisco Bay Area Air Basin. Ambient air quality standards have been established at both the state and federal level. The Bay Area meets all ambient air quality standards with the exception of ground-level ozone, respirable particulate matter (PM10) and fine particulate matter (PM2.5). These criteria air pollutants are discussed in more detail below.

High ozone levels are caused by the cumulative emissions of reactive organic gases (ROG) and nitrogen oxides (NOX). These precursor pollutants react under certain meteorological conditions to form high ozone levels. Controlling the emissions of these precursor pollutants is the focus of the Bay Area's attempt to reduce ozone levels. High ozone levels aggravate respiratory and cardiovascular diseases, reduce lung function, and increase coughing and chest discomfort. Particulate matter is another problematic air pollutant of the Bay Area. Particulate matter is assessed and measured in terms of respirable particulate matter or particles that have a diameter of 10 micrometers or less (PM10) and fine particulate matter where particles have a diameter of 2.5 micrometers or less (PM2.5). Elevated concentrations of PM10 and PM2.5 are the result of both region-wide (or cumulative) emissions and localized emissions. High particulate matter levels aggravate respiratory and cardiovascular diseases, reduce lung function, increase mortality (e.g., lung cancer), and result in reduced lung function growth in children.

Local Community Risk/Toxic Air Contaminants and Fine Particulate Matter

Toxic air contaminants (TACs) are a broad class of compounds known to cause morbidity or mortality (usually because they cause cancer) and include, but are not limited to, the criteria air pollutants listed above. TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, fuel combustion, and commercial operations (e.g., dry cleaners). TACs are typically found in low concentrations, even near their source (e.g., diesel particulate matter near a freeway). Because chronic exposure can result in adverse health effects, TACs are regulated at the regional, state, and federal level.

Diesel exhaust is the predominant TAC in urban air and is estimated to represent about three-quarters of the cancer risk from TACs (based on the Bay Area average). According to CARB, diesel exhaust is a complex mixture of gases, vapors and fine particles. CARB has adopted and implemented a number of regulations for stationary and mobile sources to reduce emissions of diesel particulate matter (DPM).

PM2.5 is a complex mixture of substances that includes elements such as carbon and metals; compounds such as nitrates, organics, and sulfates; and complex mixtures such as diesel exhaust and wood smoke. Long-term and short-term exposure to PM2.5 can cause a wide range of health effects.

Sensitive Receptors

There are groups of people more affected by air pollution than others. CARB has identified the following persons who are most likely to be affected by air pollution: children under 14, the elderly over 65, athletes, and people with cardiovascular and chronic respiratory diseases. These groups are classified as "sensitive receptors." Locations that may contain a high concentration of these sensitive population groups include residential areas, hospitals, daycare facilities, elder care facilities, elementary schools, and parks.

There are no sensitive receptors surrounding the site within a 1,000-foot influence area. The closest sensitive receptors to the proposed project site are existing residences adjacent to Santa Teresa Boulevard in San Jose about 1,350 feet southwest of the southern project boundary. Kaiser Permanente San Jose Medical Center operates outpatient clinic, which is about 75 feet east of the project site property boundary. This type of use would not include sensitive receptors from the standpoint of chronic exposures that lead to increased cancer risk and annual PM2.5 exposure. Figure 1 of Appendix A (Air Quality Report) shows the project setting and the 1,000-foot influence area.

Clean Air Plan 2017

The Bay Area Air Quality Management District (BAAQMD) is the regional agency tasked with managing air quality in the region. The BAAQMD is primarily responsible for assuring that the federal and state ambient air quality standards are maintained in the San Francisco Bay Area. Air quality standards are set by the federal government (the 1970 Clean Air Act and its subsequent amendments) and the state (California Clean Air Act and its subsequent amendments).

The 2017 BAAQMD *CEQA Air Quality Guidelines* contain screening criteria to provide lead agencies and project applicants with a conservative indication of whether a proposed project could result in potentially significant air quality impacts. The BAAQMD Guidelines include operational and construction screening levels for six categories of regulated pollutants to provide lead agencies and project applicants with a conservative indication of whether a proposed project would violate air quality standards or contribute substantially to an existing or projected air quality violation. If the proposed project falls under the screening levels, a detailed assessment of criteria air pollutants is not necessary and the emissions are assumed to be less than significant.

Operational Impacts

The development of the proposed project would contribute to the significant regional and local air quality impacts identified in the certified EADP EIRs and General Plan EIRs. The proposed

project would not result in any new or more significant regional or local air quality impacts than were described in the certified General Plan EIRs

Air emissions associated with the operation of data centers compared to a typical R&D building vary in two primary areas. First, employment intensities are much lower for data centers and there are fewer vehicular trips to and from these facilities. Second, data centers include cooling equipment and backup emergency generators that are sources of emissions during operation and routine generator testing. To evaluate the change in emissions from the EADP EIRs as a whole, average daily and annual emissions from operation of the proposed project needs to be compared with those from the approved R&D uses. Mobile emissions from vehicle trips for the data center uses would be reduced compared to the approved R&D uses to reflect the fewer vehicle trips anticipated for the data centers.

The project would include six, 3,250 KW diesel generators for backup emergency power. During normal facility operation, these generators would not be operated other than for periodic testing and maintenance requirements for a maximum of 50 hours per year.

The generators would be fueled using diesel fuel which has a very low volatility and emissions of ROG from fuel storage would be negligible. The generators would meet U.S. EPA Tier 2 emission standards.

Emissions from routine testing and maintenance engine operation of these six diesel-fueled 3,250-kW backup generators were computed using the California Emissions Estimator Model (CalEEMod).As shown in the table below, all emissions from the generators meet the BAAQMD Threshold.

TABLE 1: SUMMARY OF UNCONTROLLED OPERATIONAL EMISSIONS in tons/year(average pounds/day)

Emission Source	Reactive Organic Gases (ROG)	Nitrogen Oxides (NOx)	Respirable Particulates (PM10)	Fine Particulates (PM2.5)
Six Emergency Generators	1.2(6.6)	5.2(28.5)	0.2(1.1)	0.2(1.1)
BAAQMD Threshold Tons/year (average pounds/day)	10(54)	10(54)	10(54)	10(54)
Significant?	***No***	***No***	***No***	***No***

Community Health Risk Assessment

The proposed project would be a source of air pollutant emissions from operation of emergency generators for testing and maintenance purposes. These generators are diesel-fueled, so they emit Diesel Particulate Matter (DPM), which is a toxic air contaminant (TAC). The generators are also a source of PM2.5, which has known adverse health effects.

The BAAQMD CEQA Air Quality Guidelines considers exposure of sensitive receptors to air pollutant levels that result in an unacceptable cancer risk or hazard to be significant. Since the proposed project would emit DPM from the generator engines over the project lifetime, an analysis was performed to assess potential long-term health risks at the closest sensitive receptors, which are existing residences adjacent to Santa Teresa Boulevard about 1,350 feet southwest of the southern project boundary.

The maximum average annual off-site DPM concentrations were used to calculate potential increased cancer risks from the project. Average annual DPM concentrations were used as being representative of long-term (30-year) exposures for calculation of cancer risks. Annual average DPM and PM2.5 concentrations were modeled assuming that generator testing could occur at any time between the hours of 7:00 am and 7:00 pm, consistent with the City code requirements (Code Section 20.80.2030) and each generator is operated for no more than 50 hours per year.

The maximum modeled annual DPM and PM2.5 concentration from operation of the generators at the data center was 0.0022 µg/m3 at a residential receptor southwest of the project site on New River Drive. Concentrations of DPM and PM2.5 at all other existing residential locations would be lower than the maximum concentration. The location of the maximum modeled concentration, and TAC impacts, are shown in Appendix A - Air Quality report.

Based on the maximum modeled DPM concentrations that assume operation for no more than 50 hours per year per generator, maximum increased cancer risks and non-cancer health impacts were calculated. The maximum increased cancer risk would be 1.2 in one million, the maximum modeled annual PM2.5 concentration would be 0.0022 µg/m3, and the maximum hazard index would be less than 0.01 from operation of the proposed emergency generators and would be below the BAAQMD significance thresholds. Therefore it can be concluded that this is a less than significant impact.

BAAQMD Permitting Requirements

The operation of these generators is limited to no more than 50 hours per year of non-emergency use (i.e. testing and maintenance) by the State's Air Toxic Control Measure for Stationary Compression Ignition Engines. This is enforced by BAAQMD through Regulation 2, Rule 5. These emergency generators are subject to BAAQMD's air toxics New Source Review (NSR) requirements in Regulation 2, Rule 5. Prior to construction, the applicant would have to obtain an *Authority to Construct* permit from BAAQMD that would include permit conditions that limit the number of hours the generators could operate. These permit conditions will be

based on evaluation that would include a health risk assessment to ensure that the sources include appropriate control measures (or meet appropriate emission control standards) and do not pose significant health risks, including an increase in lifetime cancer risk greater than 10 chances per million.

Construction-related Air Quality Impacts

Construction activities would temporarily affect local air quality. Construction activities such as earthmoving, construction vehicle traffic, and wind blowing of over exposed earth would generate exhaust emissions and fugitive particulate matter emissions that affect local and regional air quality. Construction activities are also a source of organic gas emissions. Solvents in adhesives, non-water based paints, thinners, some insulating materials, and caulking materials would evaporate into the atmosphere and would participate in the photochemical reaction that creates urban ozone. Asphalt used in paving is also a source of organic gases for a short time after its application.

The BAAQMD CEQA Air Quality Guidelines contain screening levels for construction criteria air pollutant emissions and the BAAQMD Recommended Methods for Screening and Modeling Local Risks and Hazards provides screening distances for construction toxic air contaminant emissions. The BAAQMD screening level for Industrial Park uses 259,000 square feet for criteria pollutant construction emissions. The proposed project involves construction of an approximately 19,000 square feet equipment yard only, which is far below the criteria. For these reasons, construction air quality impacts from the proposed project would be considered less than significant.

For all proposed projects, BAAQMD recommends the implementation of Basic Construction Mitigation Measures, whether or not construction related emissions exceed applicable thresholds of significance for construction emissions. The proposed project includes basic construction mitigation measures, listed as best management practices (BMPs). These measures are considered Standard Permit Conditions by the City and are listed below:

Standard Permit Conditions:

Consistent with City policies, the project would be developed in conformance with the General Plan policies and the following standard BAAQMD dust control measures during all phases of construction on the project site to reduce dust fall emissions:

- All active construction areas shall be watered twice daily or more often if necessary. Increased watering frequency shall be required whenever wind speeds exceed 15 miles-per-hour.
- Pave, apply water three times daily, or apply non-toxic soil stabilizers on all unpaved access roads and parking and staging areas at construction sites. • Cover stockpiles of debris, soil, sand, and any other materials that can be windblown. Trucks transporting these materials shall be covered.

- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- Subsequent to clearing, grading, or excavating, exposed portions of the site shall be watered, landscaped, treated with soil stabilizers, or covered as soon as possible. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas and previously graded areas inactive for 10 days or more.
- Installation of sandbags or other erosion control measures to prevent silt runoff to public roadways.
- Replanting of vegetation in disturbed areas as soon as possible after completion of construction.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes. Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- Post a publicly visible sign with the telephone number and person to contact at the City of San José regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

On the basis of the above analysis, it can be concluded that with the inclusion of the standard permit conditions, the proposed project would not result in any new or more significant impacts to air quality than those addressed in the EADP EIRs and General Plan EIRs. **[Less impact than approved project (Significant Unavoidable Impact)]**

Biological Resources:

The existing biological resources setting has not changed since the preparation of the EADP EIRs and the Envision San José 2040 General Plan EIRs and addenda thereto. The site is currently developed with an industrial building, parking and landscaping. The proposed project is going to construct a utility yard in an already paved area of the site. Twenty-four (24) non-ordinance sized trees will be removed to accommodate the project. The removed trees would be replaced at a ratio of one replacement tree, 15 gallon in size, for every non-ordinance size tree. This meets the tree replacement ratios required by the City of San Jose Tree Ordinance, as provided in the table below. With the proposed tree replacement, the impact to the urban forest resulting from the removal of these trees would be reduced to less than significant.

Tree Replacement Ratios				
Circumference of Tree to be Removed	Type of Tree to be Removed			Minimum Size of Each Replacement Tree
	Native	Non-Native	Orchard	
38 inches or more	5:1	4:1	3:1	15-gallon
19 to 38 inches	3:1	2:1	None	15-gallon
Less than 19 inches	1:1	1:1	None	15-gallon

X:X = tree replacement to tree loss ratio

Notes: Trees greater than or equal to 38 inches in circumference shall not be removed unless a Tree Removal Permit, or equivalent, has been approved for the removal of such trees. For multi-family residential, commercial, and industrial properties, a Tree Removal Permit is required for removal of trees of any size.

A 38-inch tree equals 12.1 inches in diameter.

One 24-inch box tree= two 15-gallon trees.

The Santa Clara Valley Habitat Plan/Natural Community Conservation Plan (SCVHP) was approved in 2013. The project site is located within the study area of the Santa Clara Valley Habitat Plan (SCVHP) and would be subject to all applicable SCVHP fees and conditions. The project site is designated as Golf Courses and Urban-Suburban. However the project site is developed with a building, paving and landscaping with ornamental species only. The Habitat Plan requires payment for nitrogen deposition fees for all covered projects that generate new net vehicle trips. The project is not proposing to increase net trips. Hence no fees will be required. The project will also not be subject to any land cover fee given the current developed nature of the site and its designation as Urban-Suburban land in the SCVHP. Therefore, the project would not conflict with the provisions of the Habitat Plan.

The mature trees on the project site could provide nesting habitat for birds, including migratory birds and raptors. Construction of the project during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes abandonment and/or loss of reproductive effort is considered a taking by the CDFW. Any loss of fertile eggs, nesting raptors, or any activities resulting in nest abandonment would constitute an impact. Construction activities such as tree removal and site grading that disturb a nesting bird or raptor on-site or immediately adjacent to the construction zone would also constitute an impact.

Impact BIO-1: Construction and demolition activities, including the removal of trees from the project site, could impact nesting migratory birds. [**Same Impact or less than that of approved project (Significant Impact)]**

Mitigation Measure: The project would implement measures to avoid impacts to nesting migratory birds and nesting raptors during construction. The project, with the incorporation of these measures, would result in a less than significant impact on migratory birds.

MM BIO-1.1: The project applicant shall schedule demolition and construction activities to avoid the nesting season. The nesting season for most birds, including most raptors in the San Francisco Bay area extends from February 1st through August 31st.

If it is not possible to schedule demolition and construction between September 1st and January 31stto avoid the nesting season, pre-construction surveys for nesting raptors and other migratory nesting birds shall be conducted by a qualified ornithologist to identify active nests that may be disturbed during project implementation on-site and within 250 feet of the site. Projects that commence demolition and/or construction activities between February 1st and April 30th, shall conduct a pre-construction survey for nesting birds no more than 14 days prior to initiation of construction, demolition activities, or tree removal. Between May 1st and August 31st, the pre-construction survey shall be conducted no more than 30 days prior to initiation of construction, demolition, or tree removal activities.

If an active nest is found in or close enough to the project area to be disturbed by construction activities, a qualified ornithologist, in consultation with the California Department of Fish and Wildlife, shall determine the extent of a construction-free buffer zone (typically 250 feet for raptors and 100 feet for other birds) around the nest, to ensure that raptor or migratory bird nests would not be disturbed during ground disturbing activities. The construction-free buffer zones shall be maintained until after the nesting season has ended and/or the ornithologist has determined that the nest is no longer active.

The ornithologist shall submit a report indicating the results of the survey and any designated buffer zones to the satisfaction of the Supervising Environmental Planner of the City of San José Department of Planning, Building and Code Enforcement prior to any grading, demolition, and/or building permit.

The following standard permit condition will be included in the permit to ensure that the remaining trees on the site are protected during construction:

Standard Permit Condition: Tree Protection Measures:

Implement the following tree protection measures consistent with the City's requirements to protect adjacent off-site trees.

Pre-Construction and Grading Treatments

1. A pre-construction and grading meeting with a certified arborist ("site arborist") shall be required to discuss monitoring schedule, as recommended by the site arborist, in addition to applicable logistics to ensure tree protection.
2. The site arborist shall review all future project submittals including grading, utility, drainage, irrigation, and landscape plans. The consulting arborist shall assist with:
   a. Establishing a Tree Protection Zone around each tree to be preserved. For design purposes, the Tree Protection Zone shall be either the existing masonry wall separating the two properties. No grading, excavation, construction or storage of materials shall occur within that zone.
   b. Verifying the location and tag numbers of the 19 trees proposed for preservation. Include trunk locations and tag numbers on all plans.
   c. Routing underground services including utilities, sub-drains, water or sewer around the Tree Protection Zone. Where encroachment cannot be avoided, special construction techniques such as hand digging or tunneling under roots shall be employed where necessary to minimize root injury.
3. Trees to be preserved will require pruning to clean the crown and to provide clearance. All pruning shall be completed by a Certified Arborist or Tree Worker and adhere to the latest editions of the American National Standards for tree work (Z133 and A300).
4. Use only herbicides safe for use around trees and labeled for that use, even below pavement.
5. Design irrigation systems so that no trenching will occur within the Tree Protection Zone.

Tree Protection During Construction

1. Prior to beginning work, contractors working in the vicinity of trees to be preserved are required to meet with the consulting arborist at the site to review all work procedures, access routes, storage areas and tree protection measures.
2. Any grading, construction, demolition or other work that is expected to encounter tree roots should be monitored by the site arborist.

3. If injury should occur to any tree during construction, it should be evaluated as soon as possible by the consulting arborist so that appropriate treatments can be applied.
4. Any additional tree pruning needed for clearance during construction must be performed by a site arborist and not by construction personnel.
5. Any roots damaged during grading or construction shall be exposed to sound tissue and cut cleanly with a saw, with the consultation of the site arborist.

In conclusion, with the implementation of the previously described mitigation measures and General plan policies, the project would not result in any new or more significant impacts to biological resources than those addressed in the EADP EIRs and General Plan EIRs.

Cultural Resources

The existing cultural resources setting has not changed since preparation of the EADP EIRs and the Envision San José 2040 General Plan EIRs, and addenda thereto. There are no historic structures on or directly adjacent to the project site. The site is located in archaeologically sensitive area.

The project is proposing only minor ground disturbance for the construction of the utility yard and new landscaping, utilities and grading activities. Although unlikely, excavation and trenching for utilities on the site could, however, damage as yet unrecorded subsurface resources. Consistent with General Plan policies, the following standard permit condition will be implemented by the project to reduce and avoid impacts to potential disturbance of buried archaeological resources during construction.

Standard Permit Conditions:

The project would implement the following Standard Permit Conditions to lessen potential impacts to archaeological resources or pre-historic human remains.

- In the event that any prehistoric or historic resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped, the Supervising Environmental Planner and Historic Preservation Officer of the Department of Planning, Building and Code Enforcement shall be notified, and a qualified archaeologist will examine the find and make appropriate recommendations prior to the issuance of a building permit. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery during monitoring shall be submitted to the Supervising Environmental Planner and Historic Preservation Officer of the Department of Planning, Building and Code Enforcement prior to issuance of building permits.
- If any human remains are found during any field investigations, grading, or other construction activities, all provisions of California Health and Safety Code Sections 7054

and 7050.5 and Public Resources Code Sections 5097.9 through 5097.99, as amended per Assembly Bill 2641, shall be followed. In the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The project applicant shall immediately notify the Supervising Environmental Planner of the City of San José Department of Planning, Building, and Code Enforcement and the qualified archaeologist, who will then notify the Santa Clara County Coroner. The Coroner will make a determination as to whether the remains are Native American.

- If the remains are believed to be Native American, the Coroner will contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC will then designate a Most Likely Descendant (MLD). The MLD will inspect the remains and make a recommendation on the treatment of the remains and associated artifacts.
- If one of the following conditions occurs, the landowners or his authorized representatives shall work with the Coroner to reinter the Native American human remains and associated grave goods with appropriate dignity in a location not subject to further subsurface disturbance:
- The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission. The descendant identified fails to make a recommendation; or the landowner or his authorized representative rejects the recommendation of the descendant and the mediation by the NAHC fails to provide measures acceptable to the landowner.

[Same Impact as Approved Project (Less than Significant Impact)]

The project does not include any underground parking or large-scale excavation. Although not anticipated, construction activities could disturb paleontological resources, if present. The project would implement the following standard permit conditions, as necessary, do reduce potential impacts to paleontological resources. **[Same Impact as Approved Project (Less Than Significant Impact)]**

Standard Permit Conditions:

In accordance with General Plan policy ER-10.3, the following standard permit conditions will be implemented by the project to reduce and avoid impacts paleontological resources:

If vertebrate fossils are discovered during construction, the Director of Planning, Building, and Code Enforcement shall be notified and all work on the site will stop immediately until a qualified professional paleontologist can assess the nature and importance of the find and recommend appropriate treatment. Treatment may include preparation and recovery of fossil materials so that they can be housed in an

appropriate museum or university collection and may also include preparation of a report for publication describing the finds. The project proponent will be responsible for implementing the recommendations of the paleontological monitor, and a final report documenting the implementation of the treatment program shall be provided to the Supervising Environmental Planner and Historic Preservation Officer of the Department of Planning, Building and Code Enforcement.

The proposed project, with the implementation of the standard permit conditions outlined above, would not result in any new or more significant impacts to cultural resources than those addressed in the Edenvale EIRs and General Plan EIRs.

Geology and Soils

The existing geology and soils setting has not changed since preparation of the EADP EIRs and the Envision San José 2040 General Plan EIRs, and addenda thereto. The site is located in liquefaction zone. The project proposes to create a new industrial use for an existing vacant industrial building and will not result in new habitable space. Therefore, it can be concluded that the project would not result in any new or more significant impacts to geology and soils than those addressed in the Edenvale EIRs and General Plan EIRs.

Greenhouse Gas Emissions

Construction
The project is expected to be constructed within the year 2020. The proposed project would result in temporary increases in GHG emissions associated with construction activities including operation of construction equipment and emissions from construction workers' personal vehicles traveling to and from the project site. Construction-related GHG emissions vary depending on the level of activity, length of the construction period, specific construction operations, types of equipment, and number of personnel. Because project construction would be temporary and would not result in a permanent increase in emissions that would interfere with the implementation of AB 32, the temporary increase in emissions would be less than significant.

Operation:
The project was evaluated for consistency with the City's GHG Reduction Strategy. The GHG Reduction Strategy identifies GHG emissions reduction measures to be implemented by development projects in three categories: built environment and energy, land use and transportation, and recycling and waste reduction. Some measures are considered mandatory for all proposed development projects, while others are considered voluntary. Voluntary

measures can be incorporated as mitigation measures for proposed projects at the discretion of the City.

The primary test for consistency with the GHG Reduction Strategy is conformance to the General Plan Land Use/Transportation Diagram and supporting policies. The project is consistent with the General Plan and Zoning designation of the site and thus complies with the GHG Reduction Strategy. Projects that are consistent with the GHG Reduction Strategy would have a less than significant impact related to GHG emissions through 2020 and would not conflict with targets in the currently adopted State of California Climate Change Scoping Plan through 2020. If approved, the proposed project would be constructed and operational prior to the year 2020, i.e. the project's emissions would be part of the statewide inventory in 2020 subject to AB32.

Development of the proposed project, in conformance with applicable plans and policies including the City's General Plan and GHG Reduction Strategy, would result in a less than significant GHG emissions impact.

Hazards and Hazardous Materials

The existing hazards and hazardous materials setting has not changed substantially since the preparation of the EADP EIRs and the Envision San José 2040 General Plan EIRs, and addenda thereto.

The Hazardous Waste and Substances Sites (Cortese List) is a planning document used by state, local agencies, and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites. Government Code section 65962.5 requires CalEPA to develop at least annually an updated Cortese List. The Cortese List includes lists maintained by the Department of Toxic Substances Control (DTSC) and the State Water Resources Control Board (SWRCB). The project is located on the Cortese list as a closed site. In an email dated July 30, 2018, the Department of Toxic Substances Control staff has also confirmed that the site was cleaned up and closed (Appendix B). Historic aerial photos show that though the area was orchards pre-1980, the subject site was mostly vacant.

This project is primarily a retrofit of an existing building with little impact to the subsurface. For these reason, the revised project would result in the same less than significant impact to hazards and hazardous materials as previously disclosed.

The Edenvale EIRs concluded that development encouraged by the Edenvale Redevelopment Plan could result in potentially significant hazardous materials associated with future industrial uses on potentially contaminated sites. The proposed project would result in less impact than those addressed in the certified Edenvale EIRs and General Plan EIRs.

Overall, the proposed project would not result in any new or more significant hazards or hazardous material impacts than those addressed in the certified Edenvale EIRs and General Plan EIRs

Hydrology and Water Quality

The existing hydrological setting has not changed since the preparation of the EADP EIRs and the Envision San José 2040 General Plan FPEIR, and addenda thereto. In order to reduce and avoid impacts to water quality the project is subject to the NPDES General Construction Activity Stormwater Permit administered by the Regional Water Quality Control Board and City's post-construction urban Runoff Management Policy (6-29). The project will implement stormwater treatment control measures, including Low Impact Development measures. The project site is not located within a 100-year flood zone.

The proposed project would not result in any new or more significant hydrology and water quality impacts than those addressed in the Edenvale EIRs and General Plan EIRs.

Land Use and Planning

The subject project is consistent with the site's zoning and general plan designations. The Envision San José 2040 General Plan Land Use / Transportation Diagram designation of the subject site is Transit Employment Center. This designation is applied to areas within the City that have a high degree of access to transit and other facilities. Intensive job growth and uses allowed in the Industrial Park designation are appropriate uses in the Transit Employment Center designation, as are supportive commercial uses. An important difference between the Industrial Park Land Use Designation and the Transit Employment Center General Plan Land Use Designation is that the development intensity and site design elements in Transit Employment Center Designation should reflect a more intense, transit-oriented- land use pattern than typically found in Industrial park areas. Although this proposed use is not an intense employment use, the proposed project would occupy an existing vacant building in the industrial area. The project would not require significant alterations to the project site and the project would enhance the industrial area with improved site design elements including new landscaping and a renovated building entrance.

Additionally, the project furthers the following General Plan Policies:

Land Use and Employment Policy IE-1.2: Plan for the retention and expansion of a strategic mix of employment activities at appropriate locations throughout the City to support a balanced economic base, including supplies and services, commercial/retail support services, clean

technologies, life sciences, as well as high technology manufacturers and other related industries.

The proposed data center, while less job dense than other uses, could serve as a catalyst for a productive industrial environment. The data center use could encourage the location of more job-dense industries and businesses in the project's vicinity as these job-dense companies often require local data centers to aid their Research and Development functions. Furthermore, the proposed use would occupy an existing, vacant single-story concrete tilt up building which due to its size and design has been difficult to lease to job-dense uses such as offices. The data center would reinvigorate an existing vacant building with a use that would provide a service to the surrounding industrial area.

Cultivate Fiscal Resources Policy FS4.2: Maintain, enhance, and develop the employment lands within identified key employment areas (North Coyote Valley, the Berryessa International Business Park, the East Gish and Mabury industrial areas, the Evergreen industrial area, the Edenvale Redevelopment Project Area, and the Monterey Corridor Redevelopment Project Area). Protect existing employment uses within these areas from potentially incompatible non-employment uses.

The proposed use would maintain an industrial use on the currently vacant property. The data center use would occupy an existing vacant building adding an industrial use on-site. The project also includes 12,668-square feet of office area to serve the data center. The proposed project's building enhancements include an updated building entrance utilizing glass, Scottish Oak metal panels and repainted stucco; the variety of materials and color palette would create a more aesthetically pleasing industrial environment. The proposed site enhancement to the existing building and landscaping improvements would aesthetically improve not only the project site but would also enhance the surrounding properties.

The project would not result in any new or more significant land use compatibility impacts than those addressed in the certified 2000 EADP EIRs or certified 2011 Envision San José 2040 General Plan EIRs.

Mineral Resources

The site is in a developed urban area that has no known existing mineral resources and, therefore, will result in no impacts to mineral resources as described in EADP EIRs or certified 2011 Envision San José 2040 General Plan EIRs.

Noise and Vibration

Setting

Noise Fundamentals

Noise is measured in decibels (dB) and is typically characterized using the A-weighted sound level or dBA. This scale gives greater weight to the frequencies to which the human ear is most sensitive. The City's Envision San José 2040 General Plan applies the Day-Night Level (DNL) descriptor in evaluating noise conditions. The DNL represents the average noise level over a 24-hour period and penalizes noise occurring between the hours of 10 PM and 7 AM by 10 dB.

Vibration Fundamentals

Several different methods are typically used to quantify vibration amplitude. One method, used by the City, is Peak Particle Velocity (PPV). The PPV is defined as the maximum instantaneous positive or negative peak of the vibration wave. For this analysis, the PPV descriptor with units of mm/sec or in/sec is used to evaluate construction generated vibration for building damage and human annoyance.

Regulatory Framework

California Building Code

2016 California Building Code, Title 24, Part 2. The current version of the California Building Code (CBC) requires interior noise levels attributable to exterior environmental noise sources to be limited to a level not exceeding 45 dBA DNL/CNEL in any habitable room.

2016 California Building Cal Green Code. The State of California established exterior sound transmission control standards for new non-residential buildings as set forth in the 2016 California Green Building Standards Code (Section 5.507.4.1 and 5.507.4.2). The sections that pertain to this project are as follows:

5.507.4.1 Exterior noise transmission, prescriptive method. Wall and roof-ceiling assemblies exposed to the noise source making up the building envelope shall meet a composite STC rating of at least 50 or a composite OITC rating of no less than 40, with exterior windows of a minimum STC of 40 or OITC of 30 when the building falls within the 65 dBA L_{dn} noise contour of a freeway or expressway, railroad, industrial source or fixed-guideway noise source, as determined by the local general plan noise element.

5.507.4.2 Performance method. For buildings located, as defined by Section 5.507.4.1, wall and roof-ceiling assemblies exposed to the noise source making up the building envelope shall be constructed to provide an interior noise environment attributable to exterior sources that does not exceed an hourly equivalent noise level ($L_{eq\ (1\text{-}hr)}$) of 50 dBA in occupied areas during any hour of operation.

San José General Plan Noise Compatibility Guidelines

The City's Envision San José 2040 General Plan includes goals and policies pertaining to noise and vibration. Community Noise Levels and Land Use Compatibility (commonly referred to as the Noise

Element) of the General Plan utilizes the DNL descriptor and identifies interior and exterior noise standards for residential uses. The Envision San José 2040 General Plan and the San José Municipal Code include the following criteria for land use compatibility and acceptable noise levels in the City.

EXTERIOR NOISE EXPOSURE (DNL IN DECIBELS DBA) FROM GENERAL PLAN TABLE EC-1: Land Use Compatibility Guidelines for Community Noise in San José						
Land Use Category	**Exterior DNL Value In Decibels**					
	55	**60**	**65**	**70**	**75**	**80**
Residential, Hotels and Motels, Hospitals and Residential Care						
Outdoor Sports and Recreation, Neighborhood Parks and Playgrounds						
Schools, Libraries, Museums, Meeting Halls, and Churches						
Office Buildings, Business Commercial, and Professional Offices						
Sports Arenas, Outdoor Spectator Sports						
Public and Quasi-Public Auditoriums, Concert Halls, and Amphitheaters						
	Normally Acceptable: Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.					
	Conditionally Acceptable: Specified land use may be permitted only after detailed analysis of the noise reduction requirements and noise mitigation features included in the design.					
	Unacceptable: New construction or development should generally not be undertaken because mitigation is usually not feasible to comply with noise element policies. (Development will only be considered when technically feasible mitigation is identified that is also compatible with relevant design guidelines.)					

San José Municipal Code

Per the San José Municipal Code Title 20 (Zoning Ordinance) Noise Performance Standards, the sound pressure level generated by any use or combination of uses on a property shall not exceed the decibel levels indicated in the table below at any property line, except upon issuance and in compliance with a Special Use permit as provided in Chapter 20.100.

City of San José Zoning Ordinance Noise Standards	
Land Use Types	**Maximum Noise Levels in Decibels at Property Line**
Residential, open space, industrial or commercial uses adjacent to a property used or zoned for residential purposes	55
Open space, commercial, or industrial use adjacent to a property used for zoned for commercial purposes or other non-residential uses	60
Industrial use adjacent to a property used or zoned for industrial use or other use other than commercial or residential purposes	70

General Plan Policies

Policies in the General Plan have been adopted for the purpose of avoiding or mitigating noise and vibration impacts from development projects. Policies applicable to the project are presented below.

Envision San José 2040 Relevant Noise and Vibration Policies	
Policy EC-1.1	Locate new development in areas where noise levels are appropriate for the proposed uses. Consider federal, state and City noise standards and guidelines as a part of new development review. Applicable standards and guidelines for land uses in San José include: Interior Noise Levels The City's standard for interior noise levels in residences, hotels, motels, residential care facilities, and hospitals is 45 dBA DNL. Include appropriate site and building design, building construction and noise attenuation techniques in new development to meet this standard. For sites with exterior noise levels of 60 dBA DNL or more, an acoustical analysis following protocols in the City-adopted California Building Code is required to demonstrate that development projects can meet this standard. The acoustical analysis shall base required noise attenuation techniques on expected *Envision General Plan* traffic volumes to ensure land use compatibility and General Plan consistency over the life of this plan. Exterior Noise Levels The City's acceptable exterior noise level objective is 60 dBA DNL or less for residential and most institutional land uses (refer to Table EC-1 in the General Plan. Residential uses are considered "normally acceptable" with exterior noise exposures of up to 60 dBA DNL and "conditionally compatible" where the exterior noise exposure is between 60 and 75 dBA DNL such that the specified land use may be permitted only after detailed analysis of the noise reduction requirements and needed noise insulation features are included in the design.
Policy EC-1.2	Minimize the noise impacts of new development on land uses sensitive to increased noise levels (Land Use Categories 1, 2, 3 and 6 in Table EC-1 in the General Plan by limiting noise generation and by requiring use of noise attenuation measures such as acoustical enclosures and sound barriers, where feasible. The City considers significant noise impacts to occur if a project would: Cause the DNL at noise sensitive receptors to increase by five dBA DNL or more where the noise levels would remain "Normally Acceptable"; or Cause the DNL at noise sensitive receptors to increase by three dBA DNL or more where noise levels would equal or exceed the "Normally Acceptable" level.
Policy EC-1.3	Mitigate noise generation of new nonresidential land uses to 55 dBA DNL at the property line when located adjacent to uses through noise standards in the City's Municipal Code.
Policy EC-1.6	Regulate the effects of operational noise from existing and new industrial and commercial development on adjacent uses through noise standards in the City's Municipal Code.
Policy EC-1.7	Require construction operations within San José to use best available noise suppression devices and techniques and limit construction hours near residential uses per the City's Municipal Code. The City considers significant construction noise impacts to occur if a project located within 500 feet of residential uses or 200 feet of commercial or office uses would:

Envision San José 2040 Relevant Noise and Vibration Policies	
	Involve substantial noise generating activities (such as building demolition, grading, excavation, pile driving, use of impact equipment, or building framing) continuing for more than 12 months. For such large or complex projects, a construction noise logistics plan that specifies hours of construction, noise and vibration minimization measures, posting or notification of construction schedules, and designation of a noise disturbance coordinator who would respond to neighborhood complaints will be required to be in place prior to the start of construction and implemented during construction to reduce noise impacts on neighboring residents and other uses.
Policy EC-2.1	Requires that light and heavy rail lines or other sources of ground-borne vibration, minimize vibration impacts on people, residences, and businesses through the use of setbacks and/or structural design features that reduce vibration to levels at or below the guidelines of the Federal Transit Administration. Require new development within 100 feet of rail lines to demonstrate prior to project approval that vibration experienced by residents and vibration sensitive uses would not exceed these guidelines.
Policy EC-2.3	Require new development to minimize vibration impacts to adjacent uses during demolition and construction. For sensitive historic structures, a vibration limit of 0.08 in/sec PPV (peak particle velocity) will be used to minimize the potential for cosmetic damage to a building. A vibration limit of 0.20 in/sec PPV will be used to minimize the potential for cosmetic damage at buildings of normal conventional construction.

San José Municipal Code

The City's Municipal Code /Zoning Ordinance limits noise levels at adjacent properties. Section 20.50.300 of the Zoning Ordinance states that sound pressure levels generated by industrial use on a property shall not exceed 55 dBA at any property line shared with land zoned for residential use, shall not exceed 60 dBA at any property line shared with land zoned for commercial use and shall not exceed 70 dBA at any property line shared with land zoned for other uses, -except upon issuance and in compliance with a Special Use Permit. The code is not explicit in terms of the acoustical descriptor associated with the noise level limit. However, a reasonable interpretation of this standard, which is based on policy EC-1.3 of the City's General Plan, would identify the ambient base noise level criteria as a DNL.

Chapter 20.100.450 of the Municipal Code establishes allowable hours of construction within 500 feet of a residential unit between 7:00 am and 7:00 pm Monday through Friday unless permission is granted with a development permit or other planning approval. No construction activities are permitted on the weekends at sites within 500 feet of a residence.

Appendix G of the CEQA Guidelines states that a project would normally be considered to have significant noise impacts if noise levels generated by the project conflict with adopted environmental standards or plans or if ambient noise levels at sensitive receptors would be

substantially increased over a permanent, temporary, or periodic basis. A significant noise impact would be identified if the project would expose persons to or generate noise levels that would exceed applicable noise standards presented in the General Plan.

Construction noise impacts

Construction noise impacts depend on the noise generated by various pieces of construction equipment, the timing and duration of noise-generating activities, and the distance between construction noise sources and noise sensitive receptors. The construction of the proposed project would involve grading, excavation to lay foundations and superstructure for the utility yard, trenching and paving. Hourly average noise levels exceeding 60 dBA Leq, and the ambient by at least 5 dBA Leq, at the property lines of the nearest residential land uses for a period of more than one year would constitute a significant temporary noise increase. There are no residential uses in the vicinity of the project. In addition the project shall incorporate the following standard permit conditions to further reduce the noise impacts.

Standard Permit Conditions

- Construction activities shall be limited to the hours between 7:00 am and 7:00 pm, Monday through Friday, unless permission is granted with a development permit or other planning approval. No construction activities are permitted on the weekends at sites within 500 feet of a residence.Construct solid plywood fences around ground level construction sites adjacent to operational businesses, residences, or other noise-sensitive land uses. Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment. Unnecessary idling of internal combustion engines shall be strictly prohibited.Locate stationary noise-generating equipment such as air compressors or portable power generators as far as possible from sensitive receptors. Construct temporary noise barriers to screen stationary noise-generating equipment when located near adjoining sensitive land uses. Utilize "quiet" air compressors and other stationary noise sources where technology exists. Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.Notify all adjacent business, residences, and other noise-sensitive land uses of the construction schedule, in writing, and provide a written schedule of "noisy" construction activities to the adjacent land uses and nearby residences. If complaints are received or excessive noise levels cannot be reduced using the measures above, a temporary noise control blanket barrier shall be erected along surrounding building facades that face the construction sites.• Designate a "disturbance coordinator" who shall be responsible for responding to any complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., bad muffler, etc.) and shall require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number

for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.

Operational noise impact

The following discussion is based in part on an environmental noise assessment prepared by Illingworth & Rodkin, Inc. dated October 10, 2018. Copy of the assessment is included in Appendix C of this Addendum.

The project is not going to increase any traffic. Therefore operational noise generated by the proposed project would result primarily from roof-top mechanical equipment, cooling equipment and testing of back-up generators. The noise environment at the site results primarily from vehicular traffic along Via Del Oro. The exterior day-night average noise level measured in 2016 for an adjacent property at a distance of approximately 50 feet from the centerline of Via Del Oro was 64 dBA DNL.

Over 70 units of equipment including various configurations of air handling unit, condensers and fans would be installed at the northern side on roof of the building, occupying approximately 5,800 square feet of the roof area (equipment area) within a screen walled enclosure. The total equivalent sound level generated by all rooftop equipment is calculated to be 72 dBA Leq at 100 feet from the center of the source area. The proposed 10-foot-high mechanical screen wall located along the edge of the roof is calculated to provide approximately 8 to 16 dBA of noise reduction to surrounding uses.

The site is surrounded by industrial uses on all sides, excepting a commercial use (Kaiser Psychiatry Child and Adolescent Division medical center) is located east of the project site. The shared property line is approximately 60 feet from the project building. The nearest industrial property line (north) is approximately 140 feet from the project building. Rooftop equipment surrounded by a 10-foot high screen wall would be anticipated to generate a noise level of 64 dBA DNL at the northern property line and 55 dBA DNL at the eastern property line.

Noise levels due to operation of rooftop equipment behind the screen wall would be below the 70 dBA DNL allowable noise limit at the industrial use property line to the north and below the 60 dBA DNL allowable noise limit at the commercial use property line to the east.

The commercial use (Kaiser campus) to the east is developed with a parking lot and facility building and have no exterior noise sensitive use areas. Noise sensitive interior uses are located wholly within the Kaiser Permanente building, which is setback about 75 feet from the shared property line. The western façade of the Kaiser Permanente building, facing the project building, would be exposed to 55 dBA DNL at the ground level and 59 dBA DNL at the second story. With closed windows in good condition, a noise attenuation of about 25 dBA would be

anticipated for commercial structures, resulting in an interior noise level of 40 dBA DNL (35 dBA Leq) at the ground level and 44 dBA DNL (39 dBA Leq) at the second story. Assuming standard construction with windows closed, interior noise levels would be below 50 dBA Leq (1-hr), which is in compliance with the Cal Green Code.

Noise level would be somewhat higher at the time of generator testing. It is anticipated that one to two generators would be tested simultaneously which would generate 61 dBA to 64 dBA Leq at the eastern property line and 57 to 60 dBA Leq at the northern property line. Assuming a worst case scenario where they would be operating for a total of 8 daytime hours per day, the day night equivalent level of operation of these generators would be approximately 56 (single generator tested) to 59 dBA DNL (2 generators tested simultaneously) at the eastern property line and 52 to 55 dBA DNL at the northern property line.

Hourly average noise levels during generator testing occurring simultaneous to operation of the rooftop equipment would exceed 60 dBA Leq at the commercial property line to the east. However, exterior noise levels would be 58 dBA Leq and 59 dBA Leq at the façades of the first and second floor offices, respectfully. Assuming standard construction with windows closed, interior noise levels would be 33 dBA Leq and 34 dBA Leq inside the first and second story offices, respectfully. These noise levels would be below the Cal Green Code limit of 50 dBA Leq (1-hr).

To ensure that any change in the mechanical equipment or generator does not create a noise impact on the commercial use to the east of the project, the project is further conditioned to the following:

Permit Condition to be Included in the Special Use Permit:

A detailed acoustical study shall be prepared during final building design to ensure that the potential operational noise generated by the proposed project will not result in exceeding interior noise level of 45 dBA DNL at the commercial use located to the east of the property. The study shall evaluate the noise from all mechanical equipment including cooling towers and back-up generators and predict noise levels at noise-sensitive locations. Noise control features, such as sound attenuators, baffles, and barriers, shall be identified and evaluated to demonstrate that operational noise from the project would not result into interior noise level exceeding 45 dBA DNL at the commercial use located to the east of the property. The study shall be submitted in a timely manner to the Supervising Environmental Planner to ensure review and approval prior to the issuance of building permit.

In conclusion, the noise impact from the project would overall be less than significant. The proposed project, with the implementation of the above project conditions, would not result in any new or more significant short-term construction noise impacts than that was disclosed in

EADP EIRs and the General Plan EIRs and Addenda thereto. **[Same impact or less than the approved project (Significant Unavoidable Impact)]**

Population and Housing

The existing population and housing setting has not changed substantially since the preparation of the EADP EIRs and the General Plan EIRs, and addenda thereto. The revised project is an employment use consistent with the jobs goals of the Edenvale Area Development Policy and would not result in any new or more significant population growth and/or housing impacts than were described in the EADP EIRs and the General Plan EIRs, and Addenda thereto.

Public Services

The existing public services setting has not changed since the preparation of the EADP EIRs and the General Plan EIRs, and addenda thereto. All public services provided in San José are discussed in detail in the General Plan EIR and EADP EIRs. There has been no change in the availability of services since the certification of these EIRs.

The current project would be constructed in conformance with current codes, including features that would reduce potential fire hazards. The project design would also be reviewed by the City of San Jose Fire Department to ensure that it incorporates appropriate safety features to minimize criminal activity. The project proposes industrial use and would therefore not generate any new students, park users, or library users residing within the project site. Therefore, the revised project will not impact school, park, or library facilities in San José. For these reasons, the revised project would not result in any new or more significant impacts to public services or facilities than those addressed in the EADP EIRs and the General Plan EIRs, and addenda thereto.

Recreation

The existing park and recreation facilities in the project area has not changed since the preparation of the EADP EIRs and the General Plan EIRa, and addenda thereto. The project proposes data center use within an existing building and would not generate a residential population that would increase demands on park and recreation facilities. The project would not result in any new or more significant impacts to parks and facilities than those addressed in the EADP EIRs and the General Plan EIRs, and addenda thereto.

Transportation/Traffic

The transportation system in the project area, including regional and local roadways, bicycle and pedestrian facilities, and existing transit services (i.e., bus and light rail services) has not

changed substantially since the certification of the EADP EIRs and the General Plan EIRs, and addenda thereto. Based upon employment and client visit data at other comparable data centers around San Jose, it has been concluded by the Department of Public Works that the proposed data center would generate less traffic to and from the project site compared to the approved R&D uses, as data centers generally have fewer employees and therefore less vehicular traffic than R&D uses. Replacement of the approved uses with data center would reduce the traffic trips to and from the site; therefore, the project would not result in more trip generation than the approved project evaluated in the EADP EIRs and the General Plan EIRs, and Addenda thereto.

Utilities and Service Systems

The project proposes to use an existing vacant industrial building for data center use. The proposed data center uses would generate fewer employees on-site than other industrial uses and would not result in new or greater demands to water, wastewater, storm drainage, or solid waste systems. For these reasons, the proposed project would not result in new or greater utility and service system impacts compared to what was evaluated in the EADP EIRs and the General Plan EIRs, and Addenda there.

Energy

The project proposes to use a vacant industrial building for data center use. Energy would be consumed during both the construction and operational phases of the proposed project. Energy requirements throughout the construction phase include energy for the manufacturing and transportation of building materials, preparation of the site, and operation of construction equipment. The operation of the project would consume electricity for building equipment power, lighting, air-conditioning, and cooling. Electricity will be the primary form of energy used at the data center buildings. A minimal amount of natural gas may be used for heating the office component of the buildings; however, the amount of natural gas used would not be substantial. While fuel would also be consumed during vehicle trips to and from the project site, the project would not generate a substantial number of vehicle trips during the operational phase of the project, compared to the approved office uses evaluated in the EADP EIR. The project would be required to comply with the CALGreen Building Code, Envision San José 2040 General Plan and Greenhouse Gas Reductions Strategy, San José Municipal Code. For these reasons, the project would not consume energy in a manner that is wasteful, inefficient, or unnecessary.

Replacing the approved office uses with the data center would increase the demand on existing energy resources, as data centers use more energy than typical office uses. However, as previously discussed, the project would be required to comply with applicable State and City regulations and policies to ensure a more efficient use of energy. Furthermore, improvements

in energy efficiency and production capabilities is anticipated to help mitigate statewide impacts resulting from increased demand. The project would be served by existing and planned (and approved) Statewide energy infrastructure; no new energy infrastructure would be required to be constructed to serve the proposed project. Thus, while implementation of the proposed project would result in a substantial increase in energy use at this location compared to office uses, the project would not substantially increase demand on statewide energy resources in relation to projected supplies. This is a less than significant impact.

Appendices:

- Appendix A –Air Quality Report
- Appendix B – Email from the Department of Toxic Substances Control;
- Appendix C – Noise Study